

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SANDRA WACKER, et al.,)
)
Plaintiffs,)
)
vs.) Case No. 4:08CV93 CDP
)
PERSONAL TOUCH HOME CARE,)
INC., et al.,)
)
Defendants.)

ORDER

I was informed by the parties that this case had settled. On December 11, 2008, I gave plaintiffs thirty days to file a stipulation of dismissal, motion to voluntarily dismiss, or a proposed consent judgment. Plaintiffs did not follow my order, and, after waiting an additional two weeks to give them an opportunity to comply, I dismissed this action with prejudice on March 13, 2008. Now, plaintiffs ask me to re-open this case to enforce the settlement. Apparently, and not surprisingly, defendants will not pay the settlement amount until each plaintiff signs the settlement agreement. Plaintiffs' lawyer has been unable to get all named plaintiffs to sign the settlement agreement, and would like more time to do so.

While it concerns me that plaintiffs' lawyer is unable to communicate with and secure the signatures of his own clients, I will grant plaintiffs' motion to re-

open in the interests of justice. I will give plaintiffs **sixty (60) days** from the date of this order to either file a dismissal, file a motion to enforce the settlement, or to ask for some other relief. Plaintiffs' counsel is advised that, if plaintiffs ignore this order, as they ignored my order on December 11, 2008, I will dismiss this case, and will not grant leave to re-open a second time.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs' motion to reopen [#28] is GRANTED. Plaintiffs' counsel must file, within 60 days of this Order, a dismissal, motion to enforce the settlement, or request for other relief.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 10th day of April, 2009.